Ordinance No. 04-

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THE BOARD OF COUNTY AN ORDINANCE **OF** LEON COUNTY, FLORIDA. **OF** COMMISSIONERS AMENDING ARTICLE III OF CHAPTER 8 OF THE CODE OF LAWS OF LEON COUNTY, FLORIDA, RELATED TO EMERGENCY MEDICAL TRANSPORTATION SERVICES; AMENDING SECTION 8-57, DEFINITIONS; AMENDING SECTION 8-58, EMERGENCY MEDICAL SERVICES ADVISORY COUNSEL; AMENDING SECTION 8-59, CERTIFICATES REQUIRED; AMENDING SECTION 8-60. **AMENDING** CLASSIFICATION OF CERTIFICATES; APPLICATION: CERTIFICATE SECTION 8-61, AMENDING SECTION 8-62, APPLICATION REVIEW; AMENDING SECTION 8-63, ISSUANCE OR REFUSAL; AMENDING SECTION 8-64, RIGHTS AND DUTIES GRANTED BY CERTIFICATION; AMENDING SECTION 8-65, CERTIFICATE REVOCATION, MODIFICATION, SUSPENSION OR AFFIRMATION; AMENDING SECTION INVESTIGATIVE PROCEDURES; REPEALING SECTION 8-68, CIVIL REMEDIES; AMENDING SECTION VIOLATIONS AND PENALTIES; REPEALING 8-73. SECTION 8-74, EFFECT ON OTHER ORDINANCES: 8-75, SEVERABILITY; SECTION REPEALING CONSTRUCTION REPEALING SECTION 8-76, ORDINANCE; REPEALING SECTION 8-77, EFFECTIVE DATE: PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, THAT:

Article III of Chapter 8 of the Code of Laws of Leon County, Florida, Section 1. entitled Emergency Medical Transportation Services, is hereby amended to read as follows:

ARTICLE III. EMERGENCY MEDICAL TRANSPORTATION SERVICES

Purpose and scope. 38 Sec. 8-56.

This article is enacted pursuant to Chapter 401.25(6), Florida Statutes, for the purpose of providing standards and necessary regulations for the issuance of certificates of public convenience and necessity for basic and advanced life support services. This article shall apply and be in force within the incorporated and unincorporated areas of Leon County. To the extent

2	64E-2, Florida Administrative Code, the provisions of this article shall prevail.
3	Sec. 8-57. Definitions.
4	The definitions set forth in Chapter 401.23, Florida Statutes, are incorporated herein by
5	reference and are not generally repeated. When used in this ordinance, the following terms shall
6	have the meanings ascribed to them by this section:
7	Ambulance or emergency medical services vehicle: any privately or publicly owned land
8	air or water vehicle that is designed, constructed, reconstructed, maintained, equipped, or
9	operated for, and is used for, or intended to be used for, land or water transportation of sick or
10	injured persons who may need medical attention during transport shall have the same meaning as
11	defined in § 401.23, Florida Statutes, as amended from time to time.
12	Ambulance driver: Shall have the same meaning as defined in § 401.23, Florida Statutes.
13	as amended from time to time.
14	Advanced Life Support: Shall have the same meaning as defined in § 401.23, Florida
15	Statutes, as amended from time to time.
16	Advanced Life Support Service: Shall have the same meaning as defined in § 401.23,
17	Florida Statutes, as amended from time to time.
18	Air ambulance: Shall have the same meaning as defined in § 401.23, Florida Statutes, as
19	amended from time to time.
20	Basic Life Support: Shall have the same meaning as defined in § 401.23, Florida
21	Statutes, as amended from time to time.
22	Basic Life Support Service: Shall have the same meaning as defined in § 401.23, Florida
23	Statutes, as amended from time to time.
24	Board: The Board of County Commissioners of Leon County, Florida.
25	Certificate: A Certificate of Public Convenience and Necessity for a specific
26	classification of services issued by the Board of County Commissioners to a private or public
27	entity which authorizes the entity to provide emergency medical services countywide.
28	Council: The Emergency Medical Services Advisory Council of Leon County.
29	County: The incorporated and unincorporated areas within the territorial limits of Leon
30	County, Florida.

this Ordinance is more restrictive than the requirements of Chapter 401, Florida Statutes, or Rule

1	Department: The Florida Department of Health.			
2	Emergency Medical Technician: Shall have the same meaning as defined in § 401.23.			
3	Florida Statutes, as amended from time to time.			
4	First responder: Pursuant to Section 401.435, F.S., an individual who possesses the			
5	required state certification and licensure credentials to provide First Response and is acting under			
6	proper medical direction shall be permitted to respond to pre-hospital emergency medical			
7	incidents.			
8	Hospital: Any facility located in the County licensed as a hospital in accordance with			
9	Chapter 395, Florida Statutes, and which operates a dedicated emergency department.			
10	License: Any license or transfer of license issued by the Department of Health pursuant to			
11	Chapter 401, Florida Statutes.			
12	Medical Director: A Board certified emergency physician who meets the requirements			
13	of the Florida Department of Health, Bureau of Emergency Medical Services and who provides			
14	clinical oversight, medical protocols and policy development, quality assurance and quality			
15	improvement services.			
16	Operator: Any person engaged in business as the owner, proprietor, purchaser, or lessee			
17	of ambulances, emergency medical services vehicles, air ambulances, or other vehicles intended			
18	to be used for basic, advanced life support services or emergency transportation services in Leon			
19	County.			
20	Paramedic: Shall have the same meaning as defined in § 401.23, Florida Statutes, as			
21	amended from time to time.			
22	Patient: An individual who is ill, sick, injured, wounded or otherwise incapacitated and is			
23	in need of or can be expected to need emergency medical care.			
24	Permit: Any authorization issued pursuant to the provisions of Chapter 401, Florida			
25	Statutes, for a vehicle to be operated as a transport vehicle providing basic or advanced life			
26	support or a non transport vehicle providing basic life support. Shall have the same meaning as			
27	defined in § 401.23, Florida Statutes, as amended from time to time.			
28	Person: Any individual, firm, association, partnership, corporation, local government, or			
29	any other group, combination of individuals or entities acting as a unit.			

Registered Nurse: Shall have the same meaning as defined in § 401.23, Florida Statutes, as amended from time to time.

Rules and regulations: those specific requirements and guidelines which are promulgated and periodically revised by the Board and codified in this ordinance. Each hospital's capability to handle certain types of triage cases depends upon the composition of its medical Staff, which is subject to frequent changes.

Vehicle: Includes aircraft, landcraft and watercraft.

Sec. 8-58. Emergency medical services advisory council.

There is hereby created the Emergency Medical Services Advisory Council of Leon County (hereinafter referred to as "EMSAC"). Membership of the EMSAC Gouncil shall consist of the County Administrator or designee, who shall act as Chairman of the EMSAC, the Assistant County Administrator or designee, the City Manager of the City of Tallahassee or designee, the Leon County EMS Medical Director, and the Administrator, or designee, and Emergency Department Medical Director of each hospital. of Tallahassee Memorial Healthcare, Inc. (TMH), and the Medical Director of the Emergency Department of TMH, the Administrator of Tallahassee Medical Center, Inc. and the Medical Director of the Emergency Department of TCH. It shall be the duty of the EMSAC Council to make recommendations to the Board and its administrative staff as to the significant needs, issues and opportunities relating to emergency medical services, including the provision of ambulance service in the County, and such other duties as may be prescribed under this ordinance.

The EMSAC is hereby delegated the authority by the Board to promulgate the rules and regulations necessary to carry out the provisions of this ordinance. The EMS Chief shall provide staff to the EMSAC.

24 Sec. 8-59. Certificates required.

No person shall operate conduct, engage in, advertise for, or provide any of the services as described in this ordinance unless a Certificate of Public Convenience and Necessity is first obtained from the Board.

Sec. 8-60. Classification of certificates.

29 Certificates shall be classified, and certificate holders shall operate in accordance with the classification of each service category as follows:

1	(1)	Adva	inced Life Support Ground Transport Services Certificate: Holders of this
2		certi	ficate shall:
3		a.	Provide advanced life support treatment services as defined under Florida
4			Statutes, 401.23 and 64E-2.003, Florida Administrative Code;
5		b. —	— Include land or air vehicles in its service;
6		<u>b</u> e.	Maintain its vehicle(s) and operate its treatment service program with the
7			intention of providing both medical transport and ALS service medical
8			treatment and transportation for those treated, on a regular 24 hour per
9			day, 7 day per week basis throughout the County, as a matter of
10			established operational policy.;
11		<u>c.</u>	Abide by standard operating medical procedures and protocols
12			promulgated by the County EMS Medical Director;
13		<u>d.</u>	Participate in EMS system quality assurance activities as directed by the
14			County EMS Medical Director.
15	<u>(2)</u>	Air A	mbulance Service Transport Certificate: Holders of this certificate shall:
16		<u>a.</u>	Provide air ambulance services, rotary wing or fixed wing, as defined by
17	. *		Section 401.23, Florida Statutes and 64E-2.005, Florida Administrative
18			Code;
19		<u>b.</u>	Abide by standard operating medical procedures and protocols as directed
20			by the providers' EMS Air Ambulance Medical Directors or that of the
21			County EMS Medical Director, whichever provides a higher level of
22			patient care;
23		<u>c.</u>	Participate in EMS system quality assurance activities as directed by the
24			County EMS Medical Director.
25	<u>(3)(2)</u>	Basic	Life Support Services Transport Services Certificate: Holders of this
26		certific	cate shall:
27		a.	Provide basic life support treatment services as defined under Florida
28			Statutes, 401.23 and 64E-2.002, Florida Administrative Code;

1		b.	Abide by standard operating medical procedures and protocols
2			promulgated by the County EMS Medical Director; operate with no
3			intention of providing transportation to those treated.
4		c.	Participate in EMS system quality assurance activities as directed by
5			County EMS Medical Director; First Responders as defined herein shall
6			be considered appropriate providers of Basic Life Support Services.
7		<u>d.</u>	Maintain its vehicle(s) and operate its service program with the intention
8			of providing both medical transport and BLS service on a regular 24 hour
9			per day, 7 day per week basis throughout the County.
10	<u>(4)</u>	<u>Adva</u>	nced Life Support Non-transport Services Certificate: Holders of this
11		<u>certif</u>	icate shall:
12		<u>a.</u>	Provide advanced life support services as defined under Section 401.23,
13	•		Florida Statutes, and 64E-2.005, Florida Administrative Code, excluding
14			transport requirements;
15		<u>b.</u>	Abide by standard operating medical procedures and protocols
16			promulgated by the County EMS Medical Director;
17		<u>c.</u>	Participate in EMS system quality assurance activities as directed by the
18			County EMS Medical Director.
19	Sec. 8-61.	Certi	ficate application.
20	Every	applic	ation for a certificate of Public Convenience and Necessity under this
21	ordinance sh	all be i	n writing, signed and sworn by the applicant and shall be filed with the
22	Board. The ap	pplication	on shall contain the following:
23	(1)	The n	ame, age and address of the applicant and the length of time the applicant
24		has re	sided in the County if the applicant is an individual; the business name of
25		the pa	rtnership and the name, age and address of each partner and the length of
26		time e	ach partner has resided in the County if the application is a partnership; the
27		names	and residences of all officers and directors if the applicant is a corporation;
28		the cla	assification of the Certificate of Public Convenience and Necessity being
29		applie	<u>d for</u> .

. •	(2)	in the applicant is a corporation, the type and number of shares outstanding and
2		the name and the addresses of shareholders.
3	(3)	The date of incorporation or formation of the entity.
4	(4)	A description of the services to be provided.
5	(5)	The addresses of the applicant's present and proposed base station location and all
6		sub-stations, including the methodology used to determine their locations as well
7		as the process to be used to relocate/add substations in the future.
8	(6)	The names and certification numbers of all emergency medical technicians,
9		paramedics, first responders, drivers or other attendants employed by or affiliated
10		with the applicant.
11	(7)	The year, model, type, Department Permit number (when received by
12		Department), motor vehicle or FAA license registration number and mileage of
13	•	every ambulance, rescue vehicle or other type of transporting or responding
14		vehicle used by the applicant. The date of the last major overhaul must also be
15		included for aircraft utilization by applicant in responding to and transporting
16		from a medical incident.
17	<u>(8)</u>	Applicants desiring to provide ground transport must provide a written plan
18		describing the procedures to replace vehicles at intervals of no greater than five
19		years or 200,000 miles, whichever occurs first.
20	<u>(9)</u>	Applicants desiring to provide ground transport must provide a written plan
21		describing the procedures to replace non-disposable medical equipment based on
22		manufacturer standards.
23	<u>(10)</u>	Air ambulance providers must include a copy of their most recent operations
24		manual and FAA Part 135 Certificate.
25	<u>(11)(8)</u>	A description of the applicant's communication system, including its assigned
26		frequency, call number, mobiles, portables, range and hospital communications
27		ability.
28	<u>(12)(9)</u>	A proposed operating budget for the purpose of demonstrating financial ability to
29		perform and commitment to providing described services.

1	(15)(10) vermed Floor that the applicant and its employees possess an required federal
2	and state licenses and permits.
3	(14)(11) The name of the municipalities and the description of all geographic areas that
4	the applicant has previously been authorized to serve, including Leon County, any
5	other county in Florida, or any other state.
6	(15)(12)-A list of current charges or a schedule of proposed charges for transportation and
7	treatment of patients and a written statement of intent to notify the Board in
8	writing of any proposed future fee increase, including rationale for the increase.
9	(16)(13)-A sworn statement signed by the applicant or his/her authorized representative
10	stating that all the information provided by the applicant in the application is true
11	and correct.
12	(17)(14) Pursuant to Rules 64E-2.002(4) and 64E-2.003(7), F.A.C., a list of medical
13	equipment and supplies to be equipped and maintained in each emergency
14	medical services vehicle.
15	(18)(15)-A statement, policy, certificate, or irrevocable letter of commitment to insure,
16	from an insurance company satisfactory to the Board, shall be attached to the
17	application, and shall specify coverages/limits for public liability, property
. 18	damage and malpractice insurance as provided in this ordinance or a surety bond
19	conditioned for the payment and satisfaction of any final judgment as required by
20	this ordinance.
21	(19)(16)-Compilation statement showing assets and liabilities prepared by a Certified
22	Public Accountant.
23	(20)(17) A copy of the applicant's management plan which shall include a copy of
24	standard operating procedures, attached to the application.
25	(21)(18) Proof that the applicant has employed or contracted with a medical director
26	qualified pursuant to Section 401.265, F.S.
27	(22)(19) Any other information as may be reasonably required by the Board.
28	(23)(20) The application fee established by resolution of the Board except for renewals,
29	shall be in the amount of \$5,000, except for the State, agencies of the State, and

political subdivisions of the State, who shall not be required to submit such application fee.

Sec. 8-62. Application review.

- (a) Within five (5) days of receipt of an application for any a eCertificate under this ordinance and the appropriate fee, the Board shall transmit a copy of the application to the following: The City of Tallahassee, the Tallahassee Fire Department, the Leon County Director of Emergency Management, the medical directors of EMS providers Emergency Departments at all hospitals, the emergency rooms, existing ambulance services, and the Council EMSAC members. All recommendations on the application shall be forwarded to the Council EMSAC within 30 days of receipt. The Council EMSAC shall then have 30 days in which to review the recommendations. Thereafter, the Council EMSAC shall submit its recommendation for granting (with or without limitations) or denying the certificate to the Board. no-later than September 4 of the year in which the application is received.
- (b) The Council EMSAC shall, within the time prescribed in subsection (a) of this section, review the application and cause an investigation to be made of the character and reputation of the applicant. The Council's EMSAC's investigation and review of the application shall include, but not be limited to the following:
 - (1) The financial responsibility of the applicant to maintain safe, comfortable services, maintain or replace medical equipment, and maintain all insurance coverage required under this ordinance.
 - (2) The condition of the emergency medical services vehicles and equipment provided by the service.
 - (3) The adequacy of the standard operating procedures of the applicant.
 - (4) The past performance and service record of the applicant obtained from sources such as hospitals, nursing homes, local public safety agencies and the Department of Health.
 - (5) The number and type of services and governmental entities currently providing emergency basic and advanced life support emergency medical services or air medical transportation services to the area, and the effect of

1			the pro	oposed services on the quality and cost of any existing medical
2			transpo	ortation or rescue services.
3		(6)	The ba	sis for determination of need may include, but shall not be limited
4			to:	
5			a.	A computation of the ratio of estimated annual requests for service
6		•		in the particular certificate category, to the current number of
7				vehicles satisfying requests;
8			b.	A computation of the ratio of vehicles per 1,000 population.
9			<u>c.</u>	A benchmark comparison with other entities of similar size and
10				geography providing emergency medical services.
11		(7)	The e	xtent to which the applicant and all proposed equipment and
12			person	nel conform to the requirements of Chapter 401, Florida Statutes,
13			any an	nendments thereto, and any rules promulgated thereunder.
14	•	(8)	Such	other facts which the Council EMSAC may deem relevant in
15 [.]			determ	ining the fitness of the applicant to assume the occupation of an
16			operato	or.
		т.	ice or re	efusal.
17	Sec. 8-63.	issuan	100 01 1	
17 18	Sec. 8-63.			rs of receipt of the Council's EMSAC's recommendation, the Board
	(a)	Within	a 30 day	
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1		(4)—	Certification that the recommendations of the City of Tallahassee were
2			considered, if any.
3		(5)	That the service territory authorized is all of Leon County.
4		<u>(4)(6)</u>	The minimum number of vehicles to be used by the applicant in the
5			rendition of such services.
6		<u>(5)(7)</u>	Such conditions and limitations as the Board may deem necessary or
7			proper in the public interest.
8		<u>(6)(8)</u>	The signatures of the Chairman of the Board and the Clerk of the Courts.
9	Sec. 8-64.	Rights	and duties granted by certification.
10	(a)	<u>Advan</u>	ced Life Support Ground Transport Services Certificate: Acceptance of the
11	Advanced Lit	fe Suppo	ort Ground Transport Services Certificate shall obligate the applicant to:
12		(1)	Provide continuous and uninterrupted emergency medical_services to the
13			extent authorized by the certificate.
14	•	(2)	Keep such records as may be required by the federal or state government
15			or by the Board and make such records available to the County
16			Administrator or his designee for inspection.
17		(3)	Promptly respond to every emergency call for ambulance service. Patients
18			shall be loaded and transported without being subject to unreasonable
19			delays and without regard to financial ability to pay. All emergency
20			response times shall be kept by the operator, and a log reflecting such
21			response time shall be made available to the Gouncil EMSAC annually, or
22			as otherwise requested by the EMSAC. for the year ending September 30
23			by no later than December 1 of each consecutive year and a report
24			submitted to the Board within sixty (60) days thereafter.
25		(4)	Operate a minimum number of five Advanced Life Support ambulances
26			on immediate call at all times. Further, every certificate holder shall be
27			required to maintain one out-of-service (back up) state-certified ambulance
28			for every two ambulances on immediate call. The actual number of
29			ambulances required to be maintained on "immediate call" and "out of

		12
30		County.
29		days prior to the date the operator plans to cease providing services in the
28		will no longer provide services authorized under its certificate, at least 180
27	(11)	Notify the Board in writing, in the event the operator determines that it
26		not file an application for renewal of its certificate.
25		2) the date of expiration in the event the operator determines that it will
24	(10)	Notify the Board in writing at least 180 days prior to May 1 (by November
23		May 1 (by November 2) the date of expiration.
22	(9)	File an application for renewal of its certificate at least 180 days prior to
21	,	ordinances.
20	(8)	Operate in conformance with all federal and state laws and local
19		the Board may require upon issuance of the certificate.
18	(7)	Maintain liability insurance in such amounts and with such coverage as
17		thereafter.
16		of each consecutive year and submit its report to the Board; within 60 days
15		run reports for the year ending September 30 by no later than December 1
14		request. The Council EMSAC shall make an semi-annual review of said
13		reports shall be available for inspection by the Gouncil EMSAC upon
12		retain and preserve all daily run reports for at least five years, and such run
11		Emergency Medical Services, hereinafter BEMS. Every operator shall
10		Office of the Department Florida Department of Health Bureau of
9		required by the Board EMSAC or Emergency Medical Services Program
. 8		are made, and such other operating and patient information as may be
7		destination, and identification of services (charge codes) for which charges
6	·	noting the time, place of origin, destination requested by patient, actual
5	(6)	Complete an ambulance run report for all emergency ambulance calls,
4		EMSAC.
3	(5)	Provide advance notice of any proposed rate changes to the Council
2		determined pursuant to the terms of subsection 8-62(b)(6).
1		service" shall be reviewed by the Council EMSAC and the actual numbers

1		(12) -	The Emergency Medical Services Advisory Council is hereby delegated
2			the authority by the Board to promulgate the rules and regulations adopted
3			in this ordinance. Adopt and adhere to the principles contained in the
4			"Ambulance Service Hospital Triage Recommendations" as adopted by
5			both hospitals and as may be periodically revised, a copy of which is
6			attached hereto as Exhibit "B" and by this reference made a part hereof.
7	<u>(b)</u>	<u>Air Ai</u>	mbulance Service Transport Certificate: Acceptance of the Air Ambulance
8	Service Transp	ort Ce	ertificate shall obligate the applicant to:
9		(1)	Provide continuous and uninterrupted emergency medical services to the
10			extent authorized by the certificate.
11		(2)	Keep such records as may be required by the federal or state government
12			or by the Board and make such records available to the County
13			Administrator or his designee for inspection.
14	!	(3)	Promptly respond to every emergency call for air ambulance service.
15			Patients shall be loaded and transported without being subject to
16			unreasonable delays and without regard to financial ability to pay. All
17			emergency response times shall be kept by the operator, and a log
18			reflecting such response time shall be made available to the EMSAC
19		÷	annually, or as otherwise requested by the EMSAC
20	9	(4)	Provide advance notice of any proposed rate changes to the EMSAC.
21	9	(5)	Complete an air ambulance run report for all air ambulance calls, noting
22			the time, place of origin, destination requested by patient, actual
23			destination, and identification of services (charge codes) for which charges
24			are made, and such other operating and patient information as may be
25			required by the EMSAC or BEMS. Every operator shall retain and
26			preserve all air ambulance run reports for at least five years, and such run
27			reports shall be available for inspection by the EMSAC upon request. The
28			EMSAC shall make an semi-annual review of said run reports for the year
29			ending September 30 by no later than December 1 of each consecutive
30			year and submit its report to the Board; within sixty (60) days thereafter.

1	<u>(6)</u>	Maintain liability insurance in such amounts and with such coverage as
2		the Board may require upon issuance of the certificate.
3	(7)	Operate in conformance with all federal and state laws and local
4		ordinances.
5	. (8)	File an application for renewal of its certificate at least 180 days prior to
6		the date of expiration.
7	(9)	Notify the Board in writing at least 180 days prior to the date of expiration
8		in the event the operator determines that it will not file an application for
9		renewal of its certificate.
10	<u>(10)</u>	Notify the Board in writing, in the event the operator determines that it
11		will no longer provide services authorized under its certificate, at least 180
12		days prior to the date the operator plans to cease providing services in the
13	•	County.
14	(c)(b) Basic	Life Support Services Transport Certificate: Acceptance of the Basic Life
15	Support Services Tra	nsport Certificate shall obligate the applicant to:
16	. (1)	Provide continuous and uninterrupted services to the extent authorized by
17		the certificate.
18	(2)	Keep such records as may be required by the federal or state government
19		or by the Board and make such records available to the County
20		Administrator or his designee for inspection.
21	(3)	Promptly respond to every call for service. All emergency response times
22		shall be kept by the operator, and a log reflecting such response time shall
23		be made available to the Council EMSAC upon request annually, or as
24		otherwise requested by the EMSAC. Response times shall be reviewed by
25		the Council by May 1 and October 1 of each year and a report submitted
26	·	to the Board within sixty (60) days thereafter.
27	(4)	Complete a run report for all emergency calls, noting the time, place and
28		such other operating and patient information as may be required by the
29		Board EMSAC. Every operator shall retain and preserve all daily run

ł		reports for at lease five years, and such full reports shall be available for
2		inspection by the Council EMSAC upon request.
3	(5)	Maintain liability insurance in such amounts and with such coverage as
4	·	the Board may require upon issuance of the certificate.
5	(6)	Operate in conformance with all federal and state laws and local
6		ordinances.
7	(7)	File an application for renewal of its certificate at least 180 days prior to
8		May 1 (by November 2) the date of expiration.
9	(8)	Notify the Board in writing at least 180 days prior to May 1 (by November
10		2) the date of expiration in the event the operator determines that it will
11		not file an application for renewal of its certificate.
12	(9)	Notify the Board in writing, in the event the operator determines that it
13		will no longer provide services authorized under its certificate, at least 180
14		days prior to the date the operator plans to cease providing services in the
15		County.
16	(d) Advan	ced Life Support Non-Transport Services Certificate: Acceptance of the
17	Advanced Life Suppo	ort Services Non-Transport Certificate shall obligate the applicant to:
18	(1)	Provide continuous and uninterrupted emergency medical services to the
19		extent authorized by the certificate.
20	<u>(2)</u>	Keep such records as may be required by the federal or state government
21		or by the Board and make such records available to the County
22		Administrator for inspection.
23	(3)	Promptly respond to every call for service. All emergency response times
24		shall be kept by the operator, and a log reflecting such response time shall
25		be made available to the EMSAC annually, or as otherwise requested by
26		the EMSAC.
27	(4)	Complete an emergency run report for all calls, noting the time, place of
28		origin, destination requested by patient, actual destination, and
29		identification of services (charge codes) for which charges are made, and
30		such other operating and patient information as may be required by the

1		EMSAC or BEMS. Every operator shall retain and preserve all daily rull
2	·	reports for at least five years, and such run reports shall be available for
3		inspection by the EMSAC upon request.
4		(5) Maintain liability insurance in such amounts and with such coverage as
5		the Board may require upon issuance of the certificate.
6		(6) Operate in conformance with all federal and state laws and local
7.		ordinances.
8		(7) File an application for renewal of its certificate at least 180 days prior to
9		the date of expiration.
10		(8) Notify the Board in writing at least 180 days prior to the date of expiration
11		in the event the operator determines that it will not file an application for
12		renewal of its certificate.
13		(9) Notify the Board in writing, in the event the operator determines that it
14		will no longer provide services authorized under its certificate, at least 180
15		days prior to the date the operator plans to cease providing services in the
16		County.
17	Sec. 8-65.	Certificate revocation, modification, suspension or affirmation.
18	-	Certificate of Public Convenience and Necessity issued pursuant to this ordinance
19	is subject to re	evocation, modification, or suspension by the Board when it is found that:
20	(1)	The certificate holder has failed or neglected to render services as required by the
21	·	eCertificate, this Ordinance, or the Rules and Regulations promulgated under
22		hereunder, Chapter 401, Florida Statutes, or the Florida Administrative Code; or
23	(2)	The certificate holder or its agent has demanded money or other compensation in
24		excess of that established in its schedule of charges filed with the Council
25		EMSAC; or
26	(3)	The certificate holder has been convicted of a felony or has failed to maintain
27		provider status with the Medicare and/or Medicaid program which involved
28		conduct indicating the certificate holder to be of such character and capable of
29		such conduct which fail to meet standards considered by the Board to be
30		appropriate in the licensed activity. In determining whether to recommend

1		revocation, suspension or modification of the certificate, the Council shall
2		consider (1) the nature and seriousness of the felony, and (2) the circumstances
3		under which the felony occurred; or
4	(4)	The certificate was obtained by an application in which any material fact was
. 5		omitted or falsely stated; or
6	(5)	Such revocation, modification or suspension of the certificate, upon good cause
7		shown, will best serve the public interest.
8	Sec. 8-66.	Investigative procedures.
9	(a)	All unresolved issues and complaints related to the services of a certificate holder
10	shall be refer	red within five (5) days of receipt of the complaint to the Council EMS Chief for
11	investigation	The Council EMS Chief shall conduct an investigation and file a written report to
12	the Board <u>EN</u>	ISAC within 60 days of receipt of the complaint.
13	(b)	The County Administrator shall notify the certificate holder by certified mail of
14	the Council's	EMSAC's recommendation within five (5) days of receipt thereof. If the Council
15	EMSAC dete	ermines that revocation, suspension or modification of a certificate is warranted, the
16	notice to the	certificate holder shall state the reasons for such findings and establish a hearing
17	date. The hea	aring and final determination shall be held by the Board.
18	Sec. 8-67.	Rules and regulations.
19	The H	Board is hereby authorized to adopt such forms, rules, regulations and policies as
20	may be neces	sary or proper to implement this ordinance.
21	Sec. 8-68.	<u>Civil remedies</u> .
22		Soard or any aggrieved person may have recourse to such remedies in law and in
23	equity as ma	y be necessary to ensure compliance with the provisions of this ordinance, including
24	injunctive rel	ief-to enjoin and restrain any person from violating its provisions.
25	If the	Board prevails (whether by judicial decree or by settlement), it shall be awarded all
26	of its costs a	nd expenses, including a reasonable attorney's fee, in addition to any other relief
27	awarded or o	btained.
28	Sec. <u>8-68</u> . 8-6	Transfer or assignment.
29		rtificate issued pursuant to this ordinance shall be assignable or transferable by the
30	person to wh	om it is issued, except upon approval by the Board in the same manner and subject

- 1 to the same application, investigation, fees and public hearings original applications for
- 2 certificates. Any majority transfer of shares of stock or interest of any person or operator so as to
- 3 cause a change in the directors, officers, majority shareholders or managers of such person or
- 4 operator shall be deemed a transfer or assignment as contemplated in this ordinance and subject
- 5 to the same rules and regulations as any other transfer or assignment.
- 6 Sec. 8-69. 8-70 The City of Tallahassee not to require license, permit or payment of fees, except occupational license authorized by general or special law.
- The City of Tallahassee shall not require any operator holding a certificate issued pursuant to this ordinance to obtain any municipal license, certificate or permit, nor require the payment of any fees for the right to operate within said municipality, except an occupational license authorized by general or special law.
- 12 Sec. 8-70. 8-71 Article not applicable to government ambulances.
- Nothing in this ordinance is intended to apply to any ambulance which is owned or operated by any agency of the state or federal government.
- 15 Sec. <u>8-71</u>. 8-72 Turning in a false alarm.

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- Whoever, without reasonable cause, by telephone or otherwise, summons any emergency medical services vehicle pursuant to this ordinance or reports that such vehicle is needed when such person knows or has reason to know that the services of such vehicle are not needed, shall be guilty of violation of this ordinance subject to punishment as provided herein.
- 20 Sec. 8-72. 8-73 Violations and penalties.
 - Violations of this ordinance shall be subject to punishment as provided by Chapter 125.69, Florida Statutes. Violators shall be prosecuted by the Office of the State Attorney in the same manner as misdemeanors are prosecuted, and, upon conviction, shall be punished by a fine not to exceed \$500. In addition, the violators shall, upon conviction, pay all costs and expenses involved in the case. Each day or fraction thereof that a violation continues shall be considered a separate offense.
- 27 Sec. 8-74. Effect on other ordinances.
- The provisions of this ordinance shall prevail in the event of conflict with the provisions
 of any existing Leon County ordinance or regulation.
- 30 Sec. 8-75. Severability.

Attachm	ent	1	
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2	County, Florida, thisday of		, 2004.
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4 5			LEON COUNTY, FLORIDA
5			
7		Ву:	Jane G. Sauls, Chairman
8			Jane G. Sauls, Chairman Board of County Commissioners
9			Board of County Commissioners
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2	ATTESTED BY:		•
} ‡	Bob Inzer, Clerk of the Court		
;			
	By:		
	Clerk		
	APPROVED AS TO FORM:		
	County Attorney's Office		
	Leon County, Florida		
	By:		
	Herbert W.A. Thiele, Esq.		
	County Attorney		
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